

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
BENSON EVERETT LEGG
United States District Judge

FILED
2002 OCT 21 A 11:27
101 West Lombard Street
Baltimore, Maryland 21201
(410) 962-0723
CLERK
DEPUTY

October 17, 2002

MEMORANDUM TO COUNSEL RE: Channel Coleman v. State of Maryland,
Department of Public Safety and Correctional
Services, et al.
Civil #L-00-360

Dear Counsel:

Due to a clerical error, the Clerk's Office failed to notify the parties that a hearing was scheduled on October 7, 2002 at 10 a.m. in the instant case. Accordingly, a hearing is rescheduled for December 5, 2002 at 2 p.m. At the hearing, counsel should be prepared to address the following issues:

- (i) Did Plaintiff provide answers by April 15th to the interrogatories posed to her by the Court in the Court's March 11, 2002 Order?
- (ii) Is Plaintiff suing Captain Carter in his personal or official capacity?
- (iii) What is Plaintiff's response to Defendants' contention that Captain Carter, in his official capacity, is immune from § 1983 claims?
- (iv) What is Plaintiff's response to Defendants' contention that the Department of Public Safety and Correctional Services ("DPSCS") is immune from § 1983 claims because it is a state entity?
- (v) What is Plaintiff's response to Defendants' contention that DPSCS is not a person subject to suit under § 1983?
- (vi) Upon what does Plaintiff base her claim that her First Amendment rights were violated?
- (vii) Is Plaintiff barred from amending her Complaint to include a § 1983 claim against Captain Carter?
- (viii) Has Plaintiff established that DPSCS terminated her in retaliation for her filing internal complaints and a complaint with the EEOC?



- (ix) Has Plaintiff succeeded in rebutting the legitimate nondiscriminatory reasons offered by DPSCS for her termination?
- (x) Who is Ernie Thorton, and what is the significance of his reports?

Despite the informal nature of this memorandum, it shall constitute an Order of Court and the Clerk is directed to docket it accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. Legg", with a stylized flourish at the end.

Benson Everett Legg

c: Court file